transmitting, via the electronic connection, the one or more operational commands to at least the first system;

receiving the one or more operational commands with the first system;

operating the first system in accordance with the one or more operational commands, wherein spectral measurements are made in one or a plurality of locations remote from the second location in accordance with the one or more operational commands transmitted from the second location.

Respectfully, Applicant submits that none of the underlined portions are disclosed in or suggested by Smith.

Smith discloses an on-line color monitoring and control system. Applicant has carefully reviewed Smith, including the portions cited by the Examiner, and Applicant does not find any disclosure or suggestion, for example, of the "remote control" aspects of Applicant's claimed invention. In accordance with Applicant's claimed invention, at a second location remote from the first location, operational commands are generated, which are transmitted to the first location (which is remote from the second location), and at the first location spectral measurements are made in accordance with the operational commands transmitted from the second location. Smith discloses nothing of the sort. While Smith discloses network block 38, he makes it clear that this is for a distinctly different purpose:

> "Finally, in accordance with the present invention, the PLC also provides an output to a network for the purpose of providing status information and the like." Col. 2, lines 47-49
> "In addition, PLC 36 provides an information output to a network 38 for dissemination to various personnel involved in or responsible for the operation of the on-line color monitoring and control system 10." Col. 4, lines 42-46.

Thus, Smith discloses a network block for the sole purpose of enabling status-type information to be output from the first location; it does not disclose or suggest the hardware, structure or operation whereby operational commands for controlling the system at the first location are generated at a remote second location and transmitted from the second location to the first location. As a result, Applicant respectfully submits that the rejection under Section 102(e) must be withdrawn; Applicant further submits that claims 2-46 are similarly distinguishable (the other references combined with Smith do not disclose or suggest what Smith is lacking).

Similarly, Applicant submits that the invention defined by Applicant's claim 47 is readily distinguishable from Smith (again, the underlined portions emphasize certain points of distinction between Applicant's invention and the Smith disclosure).

47. A method for operating via an electronic connection one or more systems that include a spectral measurement device, comprising the steps of:

providing at least a first system at a first location;

making spectral measurements with the first system at the first location.

transmitting, via the electronic connection, spectral measurement data generated by the first system to a second location remote from the first location;

receiving the spectral measurement data with a system at the second location;

wherein, based on the spectral measurement data received at the second location, providing one or more articles of color characteristics that correspond to spectral measurements made by at least the first system.

As the previously-referenced portions of Smith make clear, Smith discloses a system that may make spectral measurements at the first location, while material is being produced at the first location. While a network block is shown for purposes of "providing status information and the like," it clearly does not disclose the transmission of spectral information from the first location to a second location remote from the first location, and it clearly does not disclose providing one or more articles of color characteristics that correspond to spectral measurements made by at least the first system at the remote second location. Such concepts, respectfully, are completely absent from Smith, which discloses only the spectral measurement system and the production of the article at the very same (first) location.

Accordingly, Applicant submits that the rejection under Section 102(e) must be withdrawn; Applicant further submits that claim 48 is similarly distinguishable (the other references combined with Smith do not disclose or suggest what Smith is lacking).

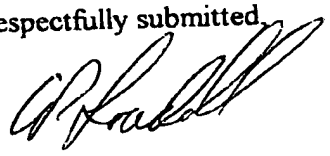
Applicant's invention enables remote control of spectral systems via remotely generated operational commands, and remote production at a second location of an article of desired color characteristics based on spectral data taken at a first location remote from the second location, none of which is disclosed, suggested or enabled by Smith or the other references.

No new matter has been added. Applicant submits that the claimed invention is patentably distinguishable over the prior art of record.

Please charge any additional fees due, or credit any overpayment, to Deposit Account No. 50-0251.

If there are any questions regarding the foregoing, Applicant's attorney requests an opportunity to discuss such matters with the Examiner by way of a telephone interview.

Respectfully submitted,



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